



## **Battle Creek Historic District Commission**

### **Staff Report**

Meeting: July 8, 2013

**To:** Historic District Commission

**From:** Glenn Perian, Senior Planner

**Date:** July 1, 2013

**Subject:** The petition filed by Larry L. Rizer, Architects Incorporated, on behalf of TIA Corporation, for the issuance of a Determination of Appropriateness to renovate and convert the existing building and site at 173 Capital Avenue NE from residential use to an office building and to comply with zoning and historic district commission requirements.

#### **Site:**

The property is located in the Local Old Maple Street Historic District.



#### **Summary of Request**

The proposed project includes numerous site improvements including parking areas, screening to comply with zoning requirements, removal of wood decking, a new ramp, concrete stoop, closure of a doorway, and other miscellaneous improvements to the site to accommodate an office use for the property that complies with zoning requirements and meets HDC approval requirements for the issuance of a Certificate of Approval at property

located at 173 Capital Avenue NE. The architect has provided a full site plan and photo rendering of what the building currently looks like and will look like once the proposed work is completed. Larry Rizer of Architects Incorporated is expected to be at the meeting to answer any questions you may have related to the project.

### **Public Notice Requirements:**

Public notice has occurred as outlined under MCL Section 399.205 Section 5 (6)...*"the business that the commission may perform shall be conducted at a public meeting of the commission held in compliance with the open meetings act, Act No. 267 of the Public Acts of 1976, as amended, being sections 15.261 of 15.275 of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976, as amended."*

**Applicable HDC Guidelines and Analysis for a Certificate of Appropriateness to renovate and convert from a residential use to an office building by adding a concrete stoop, closure of added-on doorway, removal of added-on wood deck, repointing/patching of brick work & repave parking lot with parking signs at the property located at 173 Capital Avenue NE.**

This property is reviewed in accordance with City of Battle Creek Building and Housing Code Chapter 1470 "Historic Preservation", as amended, the Michigan's Local Historic Districts Act, as amended, and the criteria for the National Register of Historic Places as outlined in the Secretary of the Interior's Standards and Guidelines.

Specifically, the Commission shall follow Section 1470.09, as:

**(b) The Commission shall also consider all of the following:**

- (1) The historic or architectural value and significance of the resource and its relationship to the historic value of the surrounding area.**
  - (2) The relationship of any architectural features of the resource to the rest of the resource and the surrounding area.**
  - (3) The general compatibility of the design, arrangement, texture, and materials proposed to be used.**
  - (4) Other factors, such as aesthetic value that the Commission finds relevant.**
- (c) The Historic District Commission shall review and act upon only exterior features of a resource and shall not review and act upon interior arrangements...**

**And**

### **1470.17 PRESERVATION OF HISTORIC FEATURES.**

- (a) Every reasonable effort shall be made to provide a compatible use for a resource which requires minimal alteration of the building, structure or site and its environment, or to use the resource for its**



***originally intended purpose.*** This project includes renovations to the building and to the site to accommodate an office use at the property located at 173 Capital Avenue NE. The intent is to reuse the previous home by converting it to an office use. The site improvements are required by various zoning codes, building codes, and DPW requirements to get the building and site into compliance including meeting the HDC requirements for the issuance of a Certificate of Appropriateness.

- (b) ***The distinguishing original qualities or character of a resource and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features shall be avoided when possible.*** The proposed work to the building is primarily repair work that will only improve the property as a whole. Staff does not believe any historic or distinctive architectural features will be destroyed. Other site work including parking, screening, and ramp work is required by various City Ordinances and Codes to convert the residential structure to an office use.
- (c) ***All resources shall be recognized as products of their own time. Alterations that have no historic basis and which seek to create an earlier appearance shall be discouraged.*** No materials or site work are being proposed that will create an earlier appearance.
- (d) ***Changes which may have taken place in the course of time are evidence of the history and development of a resource and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.*** Staff does not think that any features that are being removed (the steel stairs, door openings, decks, etc.) add any significant value to the structure as a whole.
- (e) ***Distinctive stylistic features or examples of skilled craftsmanship which characterize a resource shall be treated with sensitivity.*** Staff believes this requirement will be satisfied as proposed by the documents submitted by the Architect.
- (f) ***Deteriorated architectural features shall be repaired rather than replaced wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other resources.*** The proposed work to the building is to match in appearance and the remaining site work required will only improve the

property and neighborhood as a whole. Furthermore, the architect has moved the required parking behind the building line and out of the front yard for this project.

- (g) ***The surface cleaning of resources shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic materials shall not be undertaken.***

Staff believes the project will comply with this requirement.

- (h) ***Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any project.***

Staff does not think this applies to this project.

- (i) ***Contemporary design for alterations and additions to existing resources shall not be discouraged when such alterations and additions do not destroy significant historic, architectural or cultural material and when such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.*** Staff believes that the proposed work will meet this requirement for the project.

- (j) ***Whenever possible, new additions or alterations to resources shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the resource would not be unimpaired.*** This requirement does not apply to this project.

**(Ord. 14-97. Passed 8-5-97.)**

**Recommendation:**

The work proposed is for the purposes of reusing an existing vacant residential structure and converting it to an office use. The project is challenging and staff believes the proposed work complies with standards outlined in Chapter 1470 and should be approved. As contained herein, staff is not aware of any issues that the Commission might find in conflict with Chapter 1470 "Historic Preservation", the Michigan Local Historic Districts Act or the Secretary of the Interior's Standards and Guidelines.

Therefore, planning staff recommends approval of a certificate of appropriateness for the proposed work outlined in the plan submitted to convert the residential structure into an office use at 173 Capital Avenue NE, as the request meets the standards outlined in Chapter 1470.09 "Review of Applications", Chapter 1470.17 "Preservation of Historic Features" and the Secretary of the Interior's Standards and Guidelines, as outlined in the staff report.





1940 Photo



173 Capital Ave NE



# City of Battle Creek

Department of Planning and Community Development

77 E. Michigan Avenue, Ste. 204 • Battle Creek, Michigan 49017 • (269) 966-3320

[www.battlecreekmi.gov](http://www.battlecreekmi.gov)

## HISTORIC DISTRICT COMMISSION

Application for (check all that applies)

- ☒ Certificate of Appropriateness (for repairs or rehab projects)  
☐ Notice to Proceed (for demolition requests)

Petition No. #11-13

Date Received: 6-14-13

### APPLICANT\*\*

NAME: Larry L. Rizor, Architects Incorporated, PC  
ADDRESS: 49 South Cass Street, Suite 3B, Battle Creek, MI 49037  
PHONE: (269) 968-4300 FAX: (269) 968-7120  
EMAIL: architects.inc@prodigy.net

### OWNER (if different from applicant)

NAME: TIA Corporation  
ADDRESS: 121 Capital Avenue NE, Battle Creek, MI 49017  
PHONE: (269) 964-6731 FAX: (269) 964-7926  
EMAIL: specfinance@voyager.net

**\*\*If the applicant is not the property owner, a letter signed by the owner agreeing to the application to the Historic District Commission must be included with the application.**

Owner's Affidavit dated May 23, 2013 is attached.

### SUBMITTAL REQUIREMENTS/EXISTING CONDITIONS

Address(es) of property for which the request is being sought: 173 Capital Avenue NE

Current use of the property: Vacant; previously an apartment house being converted to office building.

List existing structures on the property and the approximate age of each. \_\_\_\_\_

House and carriage house estimated construction 1890 - 1910.

Please list all activities/proposed work for the property area and how the proposed work relates to the building as a whole.

Modify site to accommodate barrier free access into building and provide parking to meet zoning requirements.

Removal of added-on wood deck, closure of added-on doorway, and construction of new earth-supported concrete ramp around existing brick retaining wall leading from raised earth parking lot to front entry. A new concrete stoop is being added at front entry, creating one additional riser at two existing stairs leading to front door. New paved parking lot and posting of handicap spaces per zoning code requirements.



Indicate in which manner the proposed work will result in changes to the size and/or appearance of the features outlined in this application.

Improvements will not have a distractive impact on the historic original building or approach via brick retaining walled entry terracing of grade. Handrails on handicap ramp will be only visual impact to building view.

Does the work proposed include maintenance/repair of existing features of the structure, or will it create new features that do not currently exist?

Work identifies areas of brick work that need repair and removal or replacement of a rusted out steel stair and landing on west wide of an old addition to building.

Please indicate the existing building materials of the following structural features and the proposed materials if that feature is included as part of the application.

	Existing Materials	Proposed Materials (if applicable)
Roof	Asphalt shingles & rolled roofing	N/A
Windows	Wood & vinyl	N/A
Siding	Brick & painted wood & metal	Repointing/patching brick work
Foundation	Squared split fieldstone & concrete & brick	N/A
Other _____	Concrete block & cementitious coatings	N/A

**For Notice To Proceed requests only:**

What options have you explored for the repair or relocation of the structure proposed for demolition?

N/A

**SUBMITTAL REQUIREMENTS**

As outlined in "HDC, Information and Procedure", each request requires supplementary items that thoroughly describe the existing structure and proposed project. These items are to be submitted with the completed application; incomplete applications will not be forwarded to the Historic District Commission.

**APPLICANT SIGNATURE**

By signing this application, the applicant hereby declares that all answers given herein are true to the best of their knowledge, and confirms that all information required for Historic District Commission review has been submitted. Furthermore, the applicant confirms that they have thoroughly read the "Historic District Commission, Information and Procedures" and agrees to comply with all requirements and procedures outlined therein.

Name

*Larry L. Rizer*

Date

06-14-13

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121 Capital Ave N.E.  
Battle Creek, Mi. 49017  
Phone: 269-964-4092  
Fax: 269-964-7926  
specfinance@voyager.net

# TIA CORPORATION

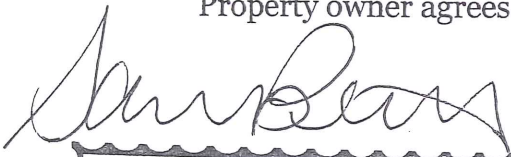
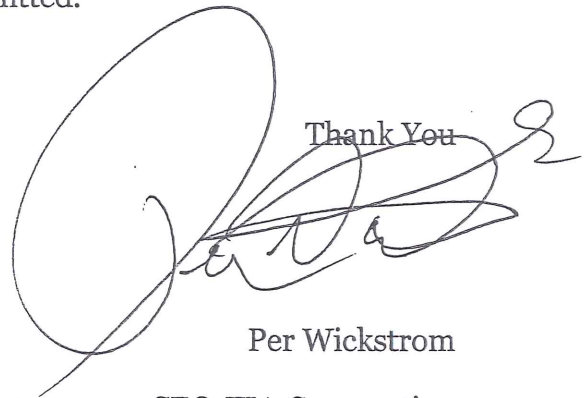

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May 23, 2013

To the City of Battle Creek Planning Department, Historic District Commission;

As owner of the property located at 173 Capital Avenue NE, Battle Creek, Michigan, we will let this letter give authorization to Larry Rizor of Architects Incorporated, PC, to act on our behalf for all matters pertaining to Historic District Commission review and approval of renovations and construction for this property.

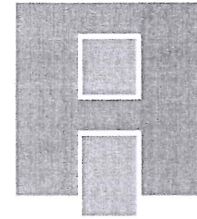
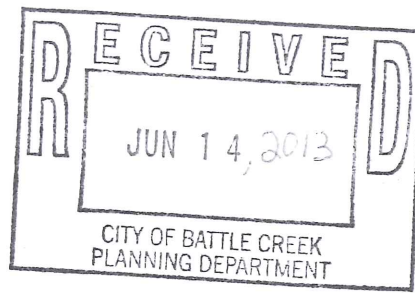
Property owner agrees to the application as submitted.

  
  
Thank You  
Per Wickstrom  
CEO-TIA Corporation



June 14, 2013

Mr. Glen Perian, Senior Planner  
City of Battle Creek  
Department of Planning and Zoning  
Commerce Point, Suite 204  
77 East Michigan Avenue  
Battle Creek, MI 49017



RE: Office Conversion at 173 Capital Ave NE  
Site Plan Resubmission (Addendum No. 2) and Historic District Commission Application

Dear Mr. Perian:

In response to your May 23, 2013 letter and Department of Public Works review, we offer the following (listed in the order you presented).

SP1 Attached drawings indicate new dumpster enclosure along east wall of carriage house. It is a 6' high alternating cedar board fence.

SP2 Attached drawings show a 10' green belt buffer strip along north and west property lines. New fencing is a 4' high alternating cedar board fence.

North property is partially screened by neighbor's solid cedar fence and garage. New fencing is to close gap between carriage house and neighboring garage but be placed on property line with gap closure tying fencing together.

New west property line fence will extend from neighboring garage corner (165 Capital NE) and return to this neighbor's house corner, with gates for access to maintain east side of their buildings. If fence followed property line along house or garage, there would be insufficient space to maintain east side of both buildings. Owner of 165 Capital NE has offered sharing half cost of line fence to improve looks of his property and reduce vandalism to his property recently experienced. This neighbor noted his building has been used for offices for the last 25 years and there is an apartment on second floor.

SP3 See attached drawing. New fencing is alternating cedar boards, 4' high typical, 6' high at dumpster enclosure. Rest of fencing is existing painted wood or neighbor's solid fencing.

SP4 The difference in square footage is gross floor area and net usable office area. Two stairwells, corridor and two restrooms on second floor reduce actual office use by half.

SP5 Parking has been revised. Owner of 173 Capital Avenue NE also owns 181 and is in the process of acquiring the vacant lot north of 181 to build proposed parking lot expansion.

SP6 Existing out building is an apartment which has not changed in use.

SP7 Existing curb cuts are being used. 181 Capital Ave NE has driveway access greater than 20'. Existing 20' (at street) Capital Avenue NE driveway is planned to be one-way, in-coming traffic and narrow to 13' at angled parking. Shared parking is proposed between the two office buildings as shown on drawings and as suggested in your plan review.

SP8 The only signage is barrier free parking and address numbers on the building.

SP9 Attached Bulletin Drawings 01, 02 and 03 (8.5" x 11") show before and proposed after photos of building improvement. Existing site fencing and historic photos are also shown on 24" x 36" drawing. An application to Historic District Commission is attached for submission.

Public work May 22, 2013 review response:

- Infrastructure Review (Approved): Acknowledged.
- Traffic Review (MDOT Approval Required): We do not anticipate changing existing Capital Avenue street curb as previously planned. Existing driveway will be a one-way entry.
- Survey Review (Not Approved): See attached drawings showing survey and legal descriptions of properties being improved.
- Storm Water Review (Not Approved): See attached storm drainage calculations on survey sheet and details on other drawing.

We trust this explanation and attached drawings are adequate to your needs for approval of project so permitting can follow. If not, please let us know what more is required.

Sincerely,



Larry L. Rizor, AIA  
President

LLR/bek

Ecc: Don Wilkinson, City Inspector

Per Wickstrom, CEO, TAI Corporation

Mike Toth, Kreis/Enderle/Hudgins/Borsos, P.C.

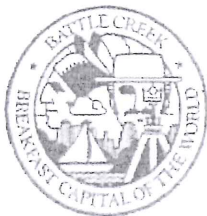
enc: Addendum No. 2 Drawings (Survey, AD02-01, AD02-02 ) (24" x 36")

Bulletin Drawings: Historic Preservation 01-01, 01-02, 01-03 (8.5" x 11")

Historic District Commission Application with Affidavit from Owner

Plan Review May 23, 2013 (for reference only)





CITY OF BATTLE CREEK  
DEPARTMENT OF PUBLIC WORKS

May 22, 2013

Office of Planning & Community Development  
Commerce Point, Suite 204  
77 East Michigan Avenue  
Battle Creek, MI 49017

RE: Office Conversion at 173 Capital Avenue NE

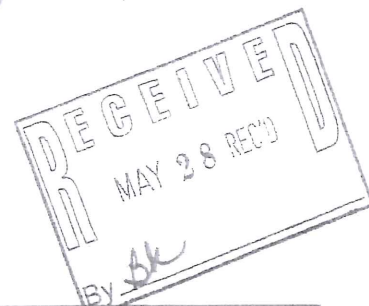
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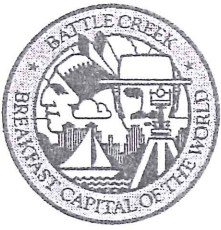
The Department of Public Works has completed a review of the site plan for the office conversion, with the following comments.

**This Site Plan is NOT APPROVED by the DPW**

- Infrastructure Review: Duane Davis – Approved
  - No additional comments.
- Traffic Review: Kurt Tribbett –
  - MDOT approval and permit required for driveway expansion.
- Survey Review: Randy Pufpaff – Not Approved
  - Provide legal description.
- Storm Water Review: Kurt Tribbett – Not Approved
  - Provide storm water calculations.
  - Provide proposed spot grades for grading plan.

Comments compiled by Duane Davis, Infrastructure Coordinator





CITY OF BATTLE CREEK  
DEPARTMENT OF PLANNING AND ZONING

May 23, 2013

Architects Incorporated, P.C.  
49 South Cass Street  
Suite 3-B  
Battle Creek, MI 49017

RE: Office Conversion at 173 Capital Ave NE, Site Plan Not Approved

The site plan for the office Conversion project located at 173 Capital Ave. NE is not approved. The planning and zoning review is complete and the plan does not meet the requirements for approval in the planning and zoning code. DPW has provided a letter dated May 22, 2013 and have not approved the plan. Additional comments from DPW can be found in the attached letter dated May 22, 2013. Please provide a revised plan for approval addressing the noted deficiencies.

Planning and Zoning Site Plan Review Comments

SP1. Please show location and method of screening for refuse container.

SP2. A 10' greenbelt buffer/strip is required between parking areas and adjoining residential properties to the north and west.

SP3. Please describe existing and proposed screening fence so compliance with ordinance standards can be confirmed.

SP4. A note states second floor gross area at 1,853 sq. ft. and net of 907 sq. ft. What is the plan for the unaccounted floor area?

SP5. Parking area does not allow for proper turning movements, especially for spaces labeled #5-9, and #11. You may want to explore the possibilities of parking/drive easements with the neighboring property to the east with a one-way drive off of Capital Ave NE and angled parking along the buildings with an exit on to Fremont as a possible option.

SP6. Please describe the proposed use of the existing out-building.

SP7. Drive aisles are required to be at least 20' wide.

SP8. Any proposed signage will require approvals and permits

SP9. Any proposed changes to the exterior of the property will require HDC approvals

Comments Provided by:

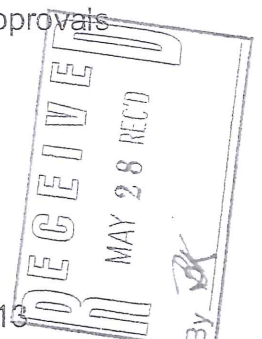
Glenn Perian, Senior Planner *GP*

Phone: 269.966.3320

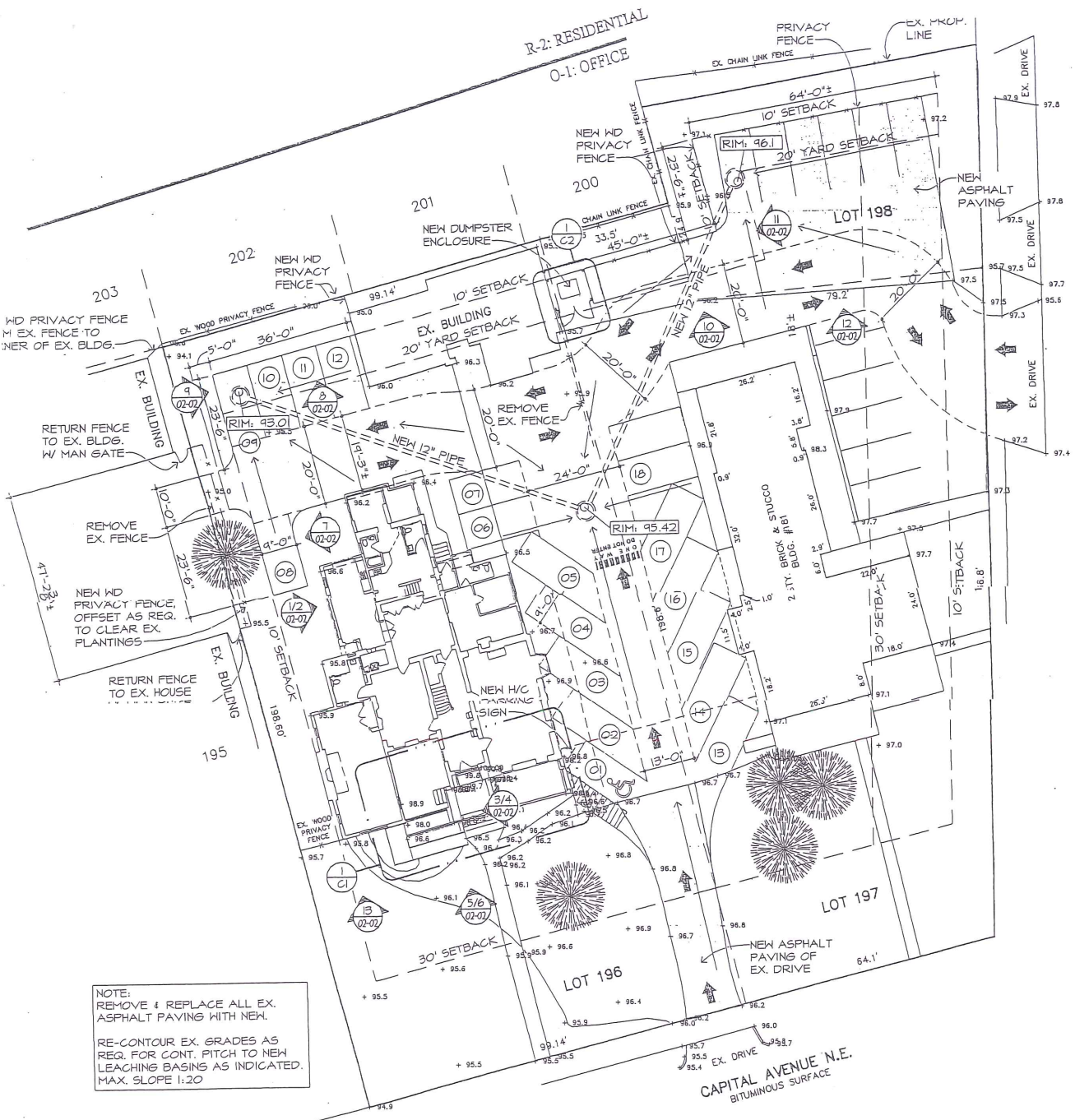
Email: [gperian@ci.battle-creek.mi.us](mailto:gperian@ci.battle-creek.mi.us)

CC: Site Plan Review Group

Enc: Comments from Department of Public Works in a letter dated May 22, 2013







FREMONT STREET  
BITUMINOUS SURFACE

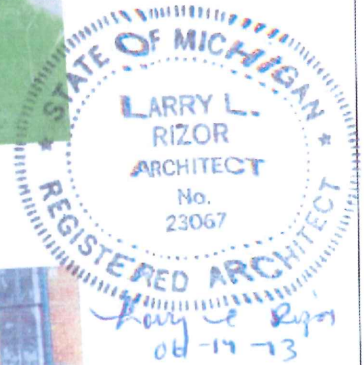
CAPITAL AVENUE N.E.  
BITUMINOUS SURFACE



REMOVE EX.  
WOOD DECK  
& RAILING

## PHOTO: EX. ENTRY

SCALE: N.T.S.



NEW EARTH  
SUPPORTED  
BARRIER FREE  
RAMP &  
RAILING  
AROUND EX.  
BRICK WALL  
TO REMAIN

INSTALL NEW  
CONC. STOOP  
LEVEL W/  
ENTRY ADDING  
ONE RISER TO  
TWO EX.  
RISERS

RAISE EX.  
GRADE AND  
REPLACE  
SIDEWALKS TO  
1:20 PITCH

## COMPLETED RAMP

SCALE: N.T.S.

**OFFICE  
CONVERSION at:**  
173 N.E. CAPITAL AVE.  
BATTLE CREEK, MICHIGAN 49017

**ARCHITECTS INCORPORATED**  
AT 49 CASS STREET  
BATTLE CREEK, MI 49037  
VOICE (269) 968-4300  
FAX (269) 968-7120  
ARCHITECTS.INC@PRODIGY.NET

**ARCHITECTS**  
INCORPORATED, P.C.



REMOVE EX.  
RUSTED OUT  
STL. STAIRS &  
LANDING AND  
DOOR  
OPENING



REMOVE  
BROKEN  
WINDOW  
COVERING

## PHOTO: EX. DOOR

SCALE: N.T.S.



INFILL DOOR  
OPENING WITH  
BRICK TO  
MATCH EX.  
BRICK WORK



RE-GLAZE EX.  
WINDOW(S)

REMOVE EX.  
STL. STAIRS &  
PATCH BRICK  
MASONRY

## COMPLETED DOOR INFILL

SCALE: N.T.S.

**OFFICE  
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**ARCHITECTS**  
INCORPORATED, P.C.



REMOVE EX.  
WOOD POST



REMOVE EX.  
DOOR &  
FRAME

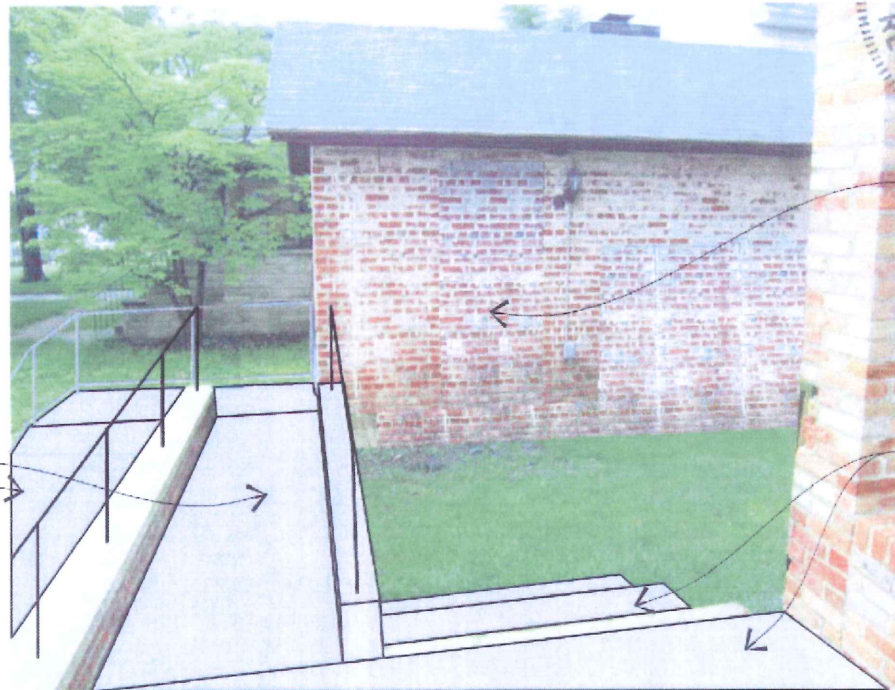
REMOVE EX.  
WOOD DECK  
& RAILING

## PHOTO: EX. DOOR

SCALE: N.T.S.



NEW EARTH  
SUPPORTED  
BARRIER FREE  
RAMP &  
RAILING  
AROUND EX.  
BRICK WALL  
TO REMAIN



INFILL DOOR  
OPENING WITH  
BRICK TO  
MATCH EX.  
BRICK WORK

NEW CONC.  
LANDING &  
STEPS TO  
COURTYARD

## COMPLETED DOOR INFILL

SCALE: N.T.S.

**OFFICE  
CONVERSION at:**  
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BATTLE CREEK, MICHIGAN 49017

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